Criticism by Chief Justice of Supreme Court for non-filling up of vacancies

111. SHRI K. KALAVENKATA RAO:
DR. Y. LAKSHMI PRASAD:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Supreme Court Chief Justice recently criticised for not filling up vacancies in the courts;

(b) if so, the details thereof; and

(c) the steps to clear the backlog immediately?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) Government have seen the Press reports to the effect that the Chief Justice of India has made certain observations about non-filling up of the vacancies of Judges.

(c) As soon as the Advisory Opinion on the scope and extent of consultation in the appointment of Judges was given by the Supreme Court, appropriate steps to fill up the vacancies of Judges were initiated. Seven vacancies in the Supreme Court and 36 vacancies in various High Courts have been since filled up after the receipt of the Opinion.

Lok Adalats at district level

112. SHRI ANANTA SETHI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the proposal to set up permanent Lok Adalats in every State at the district level was under the consideration of Government;

(b) if so, whether Government have considered the proposal; and

(c) if so, the steps taken to implement the proposal?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (c) The National Legal Services Authority at its first meeting held on 13.9.1997 decided to set up permanent and continuous Lok Adalats at every district. The progress with regard to the setting up of permanent & continuous Lok Adalats was reviewed at the First Annual Meet of the State Legal Services Authorities held under the aegis of the National Legal Services Authority at New Delhi on 12.9.1998 wherein it was resolved that permanent and continuous Lok Adalats may be established in all the districts in the country at the earliest for providing an additional forum to the litigant or conciliatory settlement of their disputes to relieve some burden from the regular courts. The setting up of permanent and continuous Lok Adalats has been included as one of the items in the Action Plan drawn for the Department for the current financial year 1998-99. Executive Chairman, National Legal Services Authority is keenly monitoring the setting up of such Lok Adalats throughout the country.

Chage in Company Law

113. SHRI NARENDRA MOHAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are seriously thinking to completely change the present Company law and are going to present a new bill in the near future;

(b) if so, what are the reasons therefor; and

(c) what problems have been indicated by FICCI and ASSOCHAM?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) and (b) The Government has already introduced the Companies Bill, 1997 in the Rajya Sabha which is being examined by the Department related Standing Committee on Home Affairs. This Bill seeks to replace the existing Companies Act, 1956.

In the meantime, pending the passing of the Bill, a few urgently needed amendments to the Companies Act, 1956 were made by issue of the Companies (Amendment) Ordinance, 1998. This was sought to be replaced by the Companies (Amendment) Bill, 1998; but the Bill could not be passed during the last Winter Session. Hence, in order to bridge the legislative vacuum, the Companies (Amendment) Ordinance, 1999 was promulgated on 7.1.1999.

(c) A few suggestions have been received from FICCI and ASSOCHAM. Government has taken into consideration these suggestions while framing the Companies Bill, 1997 and Companies (Amendment) Ordinance, 1999.